

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

TODD MIRABELLA,

Plaintiff,

vs.

CORRECTION OFFICER O'KEENAN; CORRECTION
OFFICER JOSBURG; CORRECTION OFFICER
STACHEWIC; CORRECTION OFFICER ROACH;
SERGEANT BROWN; SUPERINTENDENT DALE
ARTUS; DEPUTY SUPERINTENDENT IN CHARGE OF
SECURITY SETWART ECKERT; "D" BLOCK
SERGEANT BROWN CAPTAIN JAMES GILMORE;
LIEUTENANT INVESTIGATING MARCH 3,
GRIEVANCE JOHN DOE #1; CORRECTION
OFFICIALS ##1-20,

Docket No. 15-cv-142-WMS

Defendants.

NOTICE OF MOTION FOR SUMMARY JUDGMENT

MOTION BY:

Defendants SCOTT BROWN and
DANIEL KIENER

RELIEF SOUGHT:

Summary Judgment pursuant to FRCP 56

WHEN RETURNABLE:

As directed by the Court

WHERE RETURNABLE:

Honorable William M. Skretny
United States Courthouse
2 Niagara Square
Buffalo, New York 14202

SUPPORTING PAPERS:

Memorandum of Law; Statement of
Undisputed Facts; Declaration of George
Michael Zimmermann; Declaration of
Daniel Kiener; and the Declaration of Scott
Brown.

Pursuant to Local Rule 7(a)(1), notice is hereby given that defendants intend to file reply papers. Pursuant to Local Rule 7(b) any opposing papers must be served at least fourteen (14) days prior to the return date of the motion unless otherwise ordered by the Court

DATED: Buffalo, New York
February 6, 2018

ERIC T. SCHNEIDERMAN
Attorney General of the State of New York
Attorney for SCOTT BROWN and
DANIEL KIENER
BY:

/s/ George Michael Zimmermann
GEORGE MICHAEL ZIMMERMANN
Assistant Attorney General of Counsel
Main Place Tower, Suite 300A
350 Main Street
Buffalo, NY 14202
(716) 853-8444

CERTIFICATE OF SERVICE

I hereby certify that on February 6, 2018, I electronically filed the foregoing along with the Memorandum of Law; Statement of Undisputed Facts; Declaration of George Michael Zimmermann; Declaration of Scott Brown; and the Declaration of Daniel Kiener, with attachments with the Clerk of the District Court using its CM/ECF system and thereby provided service on the following CM/ECF participant:

Leo Glickman, Esq.
Stoll, Glickman & Bellina, LLP
475 Atlantic Avenue, 3rd Floor
Brooklyn, NY 11217
718-852-3710
lglickman@stollglickman.com

And, I hereby certify that I have mailed the foregoing, by the United States Postal Service, to the following non-CM/ECF participants:

none

DATED: Buffalo, New York
February 6, 2018

/s/ George Michael Zimmermann
GEORGE MICHAEL ZIMMERMANN
Assistant Attorney General of Counsel
Main Place Tower, Suite 300A
350 Main Street
Buffalo, NY 14202
(716) 853-8444
George.Zimmermann@ag.ny.gov